

PATENT  
ATTORNEY DOCKET NO.: 045093-5006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Tomoyoshi YAMASHITA, et al. )  
U.S. Application No.: 10/564,961 ) Group Art Unit: Unassigned  
International Appln. Filing Date: July 12, 2004 )  
Date of National Stage Entry: January 17, 2006 ) Examiner: Unassigned  
For: **LIGHT SOURCE DEVICE AND LIGHT )  
DEFLECTION ELEMENT** )  
)

Commissioner of Patents  
**MAIL STOP PCT**

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed April 25, 2006.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

Applicant(s) hereby assert small entity status.

5. Fee Calculation

Basic National Stage Fee: \$300.00				Paid Jan. 17, 2006
	Number Filed	Number Extra	at a Rate of	
Total Claims	44-20 =	22	\$50.00 each=	+\$1,100.00
Independent Claims	2- 3 =	0	\$200.00 each=	+\$0.00
Multiple dependent claim(s), if any			\$360.00	+\$360.00
Missing Requirements Surcharge Fee			\$130.00	\$130.00
Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100				\$
Application Search Fee			\$500/\$400/\$100	Paid Jan. 17, 2006
Examination Fee			\$200.00	Paid Jan. 17, 2006
SUB-TOTAL =				\$1,590.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	+\$130.00
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	+\$130.00
TOTAL FILING FEE =				\$1,850.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$1,850.00  
Assignment Fees \$ \_\_\_\_\_  
Total Fee Due \$1,850.00

The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

07/05/2006 MKAYPAGH 00000118 500310 10564961

01 FC:1615 1100.00 DA  
02 FC:1616 360.00 DA  
03 FC:1617 130.00 DA  
04 FC:1618 130.00 DA

07/05/2006 MKAYPAGH 00000118 500310 10564961

05 FC:1464 130.00 DA

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- Form PCT/IPEA/409 (English Translation)
- Preliminary Amendment
- PCT/IB/338 English translation of the International preliminary Examination Report
- Information Disclosure Statement
- Form PTO-1449, 9 documents as listed
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Robert J. Goodell, Reg. No. 41,040

Date: June 26, 2006

**Customer No. 09629**

MORGAN, LEWIS & BOCKIUS LLP  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001

TAA



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,961	Tomoyshi Yamashita	045093-5006
INTERNATIONAL APPLICATION NO.		
PCT/JP04/09934		
I.A. FILING DATE		PRIORITY DATE
07/12/2004		07/15/2003
<b>CONFIRMATION NO. 3509</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000018601767*		

Date Mailed: 04/25/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/17/2006
- Copy of the International Search Report filed on 01/17/2006
- Information Disclosure Statements filed on 01/17/2006
- U.S. Basic National Fees filed on 01/17/2006
- Priority Documents filed on 01/17/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

**RECEIVED**

**APR 28 2006**

MORGAN, LEWIS & BOCKIUS LLP

Docketed 5-1-06 Attorney RJG  
 Case 45D93-5006  
 Due Date 6-25-06  
 Action RESP-MISS. Req  
OAS chk FE

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Surcharge.
- \$130 for English translation surcharge required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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Telephone: (703) 308-9140 EXT 207

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,961	PCT/JP04/09934	045093-5006

FORM PCT/DO/EO/905 (371 Formalities Notice)